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**From:** Gaughan, Daniel [Gaughan.Daniel@epa.gov]  
**Sent:** 4/18/2019 5:22:37 PM  
**To:** Victor Cannistra [victorc@cannistracpa.com]  
**CC:** Andy Cannistra [andyc@cannistracpa.com]; Ludmer, Margo [ludmer.margo@epa.gov]; Doyle, James [Doyle.James@epa.gov]  
**Subject:** RE: Site Testing

Victor and Andy,

EPA is willing to work Monday through Thursday as requested. EPA would plan to arrive at the site at 7 AM on a Monday to conduct a health and safety briefing and set up all equipment. We would plan to begin site work at 8 AM. We will arrange for the radon canisters to be placed and begin the gamma screening of the site. We will review the gamma screening data and then determine the locations of the soil borings.

For the remainder of the mobilization, we would plan to begin work at approximately 8 AM and will work until 5 PM until we install all of the necessary borings. As EPA has previously stated, for reasons including health and safety concerns, we will not perform the work outside of normal business hours.

I am willing to discuss with the Tesla manager all of the proposed actions and explain to him the need for the work, the length of time it will take, and our safety procedures.

EPA requires at least three weeks to arrange all subcontracts and arrange for equipment delivery. I believe that we can accommodate the facility's request to perform the work in May of 2019 as long as we are assured that access will be granted (i.e., Cannistra Realty complies with the access order, which became effective yesterday). Please be reminded that you have until tomorrow to notify EPA of your intent to comply with the order.

I will be out of the office all next week. Please direct any response to this email to Margo Ludmer and all future correspondence.

Regards,

Dan Gaughan  
On-Scene Coordinator, US EPA Region II  
[gaughan.daniel@epa.gov](mailto:gaughan.daniel@epa.gov)  
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917-613-2153 cell

Dan Gaughan

**From:** Victor Cannistra <victorc@cannistracpa.com>  
**Sent:** Wednesday, April 17, 2019 11:20 AM  
**To:** Gaughan, Daniel <Gaughan.Daniel@epa.gov>  
**Cc:** Andy Cannistra <andyc@cannistracpa.com>  
**Subject:** Site Testing

Hello Dan,

Andy and I would like to discuss with you the specific timing of the testing work you want to complete on our property.

We have spoken with the Tesla manager at the Mt. Kisco location and informed him of the testing work that the EPA wants to complete. He indicated to us that Friday, Saturday and Sunday are the busiest days and that Monday through Thursday would be best. He also indicated that April and May are better months to complete the work. June is very busy due to the quarter end car deliveries.

The manager said to us that he was very concerned about his customers seeing this testing activity. The placing of the radon canisters does not seem to be an issue. He was most concerned about the drilling activities and somewhat concerned about the buggy. He requested that the testing activities occur after 6pm when the facility is closed. He stated, as we have, that it stays light much later this time of the year. As the landlord, we are doing our best to not interfere with or harm out tenant's business operations.

So we would like to speak with you about specific times for the work:

1. The radon canister can be placed and collected at any time. So we don't see this as an issue.
2. Can the buggy work be completed after the facility is closed? Our understanding is that the buggy work will take 1 to 2 hours to complete. As previously offered, we will pay all extra cost associated with this off hours work.
3. Can we have the drilling in the parking lot and in front of the building be completed when the facility is closed? This would alleviate all the concerns about interfering with our tenant's operations and the safety concerns in regard to the work being completed when customers and employees are present. As previously offered, we will pay for any cost associated with this off hours work.

If you could please consider our concerns and provide us with a specific schedule as to the timing of the testing you are proposing it would be appreciated.

Andy and I can be reached at these email addresses or at phone numbers below if you would like to discuss this with us.

Thank you,  
Victor and Andy

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